

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

JOE D. MITCHELL, as Next Friend for
JOSEPH E. MITCHELL,

Plaintiff,

v.

DIVERSICARE HUMBLE, LLC D/B/A
OAKMONT HEALTHCARE AND
REHABILITATION CENTER OF HUMBLE,

Defendant.

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CASE NO. 4:16-cv-00351

(JURY REQUESTED)

STIPULATION OF DISMISSAL WITH PREJUDICE

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiff Joe D. Mitchell, as Next Friend for Joseph E. Mitchell (“Plaintiff”) by and through his undersigned attorneys, and Defendant Diversicare Humble, LLC d/b/a Oakmont Healthcare and Rehabilitation Center of Humble, (“Defendant”) by and through its undersigned attorney, hereby stipulate to the dismissal **with prejudice** as to all claims between Plaintiff and Defendant in this action. There are no claims pending against Defendant other than Plaintiff’s claims. Plaintiff and Defendant shall bear their own fees and costs.

Respectfully submitted,

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JOSEPH E. MITCHELL**

CERTIFICATE OF SERVICE

I hereby certify that on this the 23rd day of March, 2018, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to each counsel of record listed below. To the extent any such counsel is not registered for such electronic delivery, the foregoing document will be served in accordance with the Federal Rules of Civil Procedure.

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